

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

*(Special Original Jurisdiction)*

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WEDNESDAY, THE TENTH DAY OF AUGUST  
TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

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WRIT PETITION No. 17602 OF 2005

**Between:**

**P.Chandrasekhar Reddy ... Petitioner**

**Versus**

**The Commissioner,**

**Municipal Corporation of Hyderabad,**

**Tank Bund, Hyderabad & Ors. ... Respondents**

**Counsel for the Petitioner : Mr. T.VENKAT REDDY**

**Counsel for the Respondent 1 & 2: Mrs.G.JYOTI KIRAN**

**Counsel for the Respondent NO.3: NONE APPEARED**

This writ petition is filed questioning the action of the respondents in not disposing the representations dated 20-3-2005 and 03-8-2005 respectively submitted by the petitioner with regard to illegal construction of complex/building by the third respondent at House No.8-2-674/1/H/A/1 situate at Road No.13-A, Banjara Hills, Hyderabad, as illegal, arbitrary, unconstitutional, contrary to the building bye-laws and consequently direct the official respondents to act upon the said representations submitted by the petitioner with regard to the illegal constructions made by the third respondent within stipulated period.

The main grievance of the petitioner is that the third respondent is making construction of complex and proceeding with illegal and unauthorised construction of multi-storied residential complex House No.8-2-674/1/H/A/1 situate at Road No.13-A, Banjara Hills, Hyderabad, which is not permissible for construction of any multi-storied complex other than regular residential house and the same is not in accordance with the building rules.

On 20-3-2005 the petitioner made a representation to the second respondent stating that a complex is proposed to be constructed on road No.13-A, Banjara Hills, Hyderabad by the third respondent in a small plot of about 600 sq.yards provided with only 25 feet road and requested to provide a copy of the building application plan of the said complex. But the second respondent neither provided the same nor gave any reply to the petitioner.

While things stood thus, the petitioner made another representation on 03-8-2005 to the respondents requesting them not to sanction permission for building a complex other than regular residential house by leaving statutory space. But the respondents neither responded to nor gave any reply to him so far.

The learned counsel for the petitioner contended that the respondents 1 and 2 have colluded with the third respondent and they are not taking any action against the third respondent in spite of specific representations of the petitioner. Therefore, the respondents are bound to initiate action of demolishing illegal and unauthorized constructions made by the third respondent under the Hyderabad Municipal Corporation Act.

Considering the facts and circumstances of the case and taking into consideration the submission made by the learned counsel for the petitioner, without going into the merits or otherwise, I deem it appropriate to dispose of the writ petition at the admission stage directing the second respondent to consider and dispose of the representations dated 20-3-2005 and 03-8-2005 respectively within twelve weeks on merits and in accordance with law, after affording reasonable opportunity of

hearing the petitioner.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

AUGUST 10th, 2005. -----

I S L. ELIPE DHARMA RAO , J